IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 16506 of 2003

For Approval and Signature:

HON'BLE MR.JUSTICE C.K.BUCH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PATEL KRISHNABEN KANUBHAI

Versus

REGIONAL PASSPORT OFFICER REGIONAL PASSPORT OFFICE

Appearance:

1. Special Civil Application No. 16506 of 2003

MR AG JOSHI for Petitioner No. 1

MR DN PATEL for Respondent No. 1

NOTICE SERVED BY DS for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE C.K.BUCH

Date of decision: 10/12/2003

ORAL JUDGEMENT

1. Rule. Service of rule is waived by learned

advocate Shri Krunal Pandya appearing for Shri D.N. Patel, Sr. Standing Counsel. At the request of the learned advocates, the petition is finally heard today.

2. In this petition, the petitioner has prayed to issue appropriate writ, order or direction to the respondents authority directing the respondents to take final decision on the application submitted by the petitioner on 19.11.2003.

3. The case of the petitioner is that the petitioner's correct date of birth is 24.04.1977, but because of mistake, initially date 27.04.1977 was recorded in School Leaving Certificate (SCL for short). It has been submitted by the ld. Advocate appearing for the petitioner that as per the register of death and birth maintained by Ahmedabad Municipal Corporation, the correct date of birth of the petitioner is 24.04.1977. An extract of the said register showing correct date of birth of the petitioner has been annexed to the petition as Annexure ; A.

4. The petitioner has already submitted his application to the respondent on 19.11.2003. Till today, the petitioner has not received any reply. I am sure that the respondent shall examine the application of the petitioner and shall take final decision in accordance with law.

5. The petitioner shall first of all pay a sum of Rs.5000/ (Rs. five thousand only) towards costs to the respondent as the respondent will have to correct the passport and will have to do all formalities only because of a mistake committed by the petitioner. Only after the said amount is paid by the petitioner, the needful shall be done by the passport authority. Petitioner, is directed to pay the aforesaid amount of costs to the respondent passport authorities directly.

6. In view of the above direction, the petition stands disposed of as allowed. Rule is made absolute to the above extent. D.S. permitted.

[C.K. BUCH, J]

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